

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the State Register. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

Adopted Rules - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Natural Resources

Adopted Exempt Permanent Rules Relating to Snowmobile Registration, Wildlife Management Areas, and Restitution Values

6100.5000 SNOWMOBILE REGISTRATION AND DISPLAY OF NUMBERS.

Subpart 1. Application. Application for snowmobile registration shall be made to the commissioner of natural resources or authorized agent on the form prescribed. Registrants must be 18 years of age or older prior to applying for registration of a snowmobile. Upon presentation of a bill of sale in the form prescribed by the commissioner, and payment of the fee required, a snowmobile registration certificate will be issued to the applicant. Registration certificates are valid for a period of three years. ~~A decal showing the expiration date shall be affixed to the machine as illustrated below. The registration number remains the same if renewed by July 1 following the expiration date.~~

[For text of subparts 2 to 8, see Minnesota Rules]

6100.5700 REQUIRED EQUIPMENT.

Subpart 1. Snowmobiles. No snowmobile shall be operated upon public lands, waters, streets, or highways unless it is equipped as follows:

[For text of items A and B, see Minnesota Rules]

C. Reflector material of a minimum area of 16 square inches mounted on each side forward of the handle bars. Reflector material shall have at least the minimum intensity values as prescribed in Table II of federal specifications L-S-300A, dated January 1, 1970. ~~Registration numbers, The manufacturer's trade name, or other decorative material, if meeting minimum reflectorization standards, may be included in computing the required 16-square-inch area.~~

[For text of items D and E, see Minnesota Rules]

[For text of subparts 2 to 5, see Minnesota Rules]

Exempt Rules

6133.0030 GAME BIRDS.

The restitution values for game bird species are as follows:

[For text of items A to Q, see Minnesota Rules]

R. tundra swan, \$200 \$1,000;

S. trumpeter swan, \$1,000 \$2,500; and

[For text of item T, see Minnesota Rules]

6230.0250 GENERAL PROVISIONS FOR USE OF WILDLIFE MANAGEMENT AREAS.

[For text of subparts 1 to 9, see Minnesota Rules]

Subp. 10. General restrictions on vehicles.

A. A person may not operate an all-terrain vehicle, hang glider, air boat, hover craft, or personal watercraft defined in Minnesota Statutes, section 86B.005, within the boundaries of a wildlife management area. Exceptions for all-terrain vehicle use include:

[For text of subitem (1), see Minnesota Rules]

(2) use by a hunter person with a disability who has a permit approved by the area wildlife manager under Minnesota Statutes, section 97A.137, subdivision 3;

[For text of subitems (3) and (4), see Minnesota Rules]

[For text of items B to D, see Minnesota Rules]

[For text of subparts 11 to 23, see Minnesota Rules]